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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/662,758	09/15/2000	Shang-Che Cheng	004832.00074	2370

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EXAMINER


SKED, MATTHEW J

ART UNIT	PAPER NUMBER
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2655

DATE MAILED: 10/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/662,758	Applicant(s) CHENG ET AL. 	
	Examiner Matthew J. Sked	Art Unit 2655	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-19 is/are allowed.
- 6) ☐ Claim(s) 1 and 5-10 is/are rejected.
- 7) ☒ Claim(s) 2-4 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection, necessitated by amendment.
2. It is noted that the applicant did not traverse the Official Notice taken in claim 6 of the previous Office Action and therefore it is taken to be admitted prior art (see MPEP 2144.03). However, the Applicant does traverse the statement that it would have been obvious to use a well-known network link to identify a source of data to be translated to be downloaded. The Examiner respectfully disagrees. Network links, which are well known in the art, direct the user to webpages or other data to be downloaded on the user's workstation. This data could be any data that can be transmitted over the network, which would include "data to be translated". Therefore, the rejection stands.
3. As per claim 9, Applicant asserts that Nishino does not teach combining glossaries from multiple sources. The Examiner respectfully disagrees. Nishino teaches using private-use dictionaries, A, B, and C. These dictionaries are combined in that they are considered together to determine the best dictionary to use for translation. Therefore, the rejection stands.
4. Claims 11 and 19 have been amended to more clearly claim the Applicant's invention and are found to be allowable over the prior art.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boucher et al. (U.S. Pat. 5,884,246) in view of Asahioka et al. (U.S. Pat. 5,075,850).

As per claim 1, Boucher discloses a system for translating data comprising:

a data source to be translated connected to a network (originating site, col. 4, lines 59-62);

translation source connected to the network (translationsite.com, col. 9, lines 14-21);

portal means connected to said network for retrieving said data to be translated, said portal means comprising:

means for partially translating the data to be translated (translation site translates at least a portion of the data to be translated, col. 4, lines 16-19); and

means for transmitting partially translated data to said translation source for completing translation of said data (secondary translation machines edit the primary machine translations that have been transmitted over a communication link, col. 12, lines 40-63).

Boucher does not specifically teach a storage memory for storing previous data strings to be translated and corresponding previously translated data strings and a

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processor for comparing a portion of the data to be translated to the previously stored data in the storage memory to identify a plurality of matching corresponding previously translated data strings and selecting one of the matching corresponding previously translated data strings from the plurality of matching corresponding previously translated data strings based on predetermined criteria.

Asahioka teaches a system for translation that has a storage memory for storing previous data strings to be translated and corresponding previously translated data strings (memory stores original sentences and translated sentences, col. 3, lines 44-51) and a processor for comparing a portion of the data to be translated to the previously stored data in the storage memory to identify a plurality of matching corresponding previously translated data strings and selecting one of the matching corresponding previously translated data strings from the plurality of matching corresponding previously translated data strings based on predetermined criteria (input sentence is compared to the stored relations and the entry with the same corresponding word and highest entry number is selected, hence a predetermined criteria, col. 4, lines 20-41).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Boucher to have a storage memory for storing previous data strings to be translated and corresponding previously translated data strings and a processor for comparing a portion of the data to be translated to the previously stored data in the storage memory to identify a plurality of matching corresponding previously translated data strings and selecting one of the matching corresponding previously translated data strings from the plurality of matching

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corresponding previously translated data strings based on predetermined criteria as taught by Asahioka because it would give a more accurate translation by correctly translating the word combinations that the user commonly uses.

7. As per claim 5, Boucher also discloses transmitting the completed translation back to the data source (col. 10, lines 49-53).

8. Claims 6-9 are rejected under 35 U.S.C. 103(a) as being obvious over Boucher in view of Asahioka and taken in further view of Nishino et al. (U.S. Pat 5,295,068) and Applicant's admitted prior art.

As per claims 6 and 7, Boucher and Asahioka do not teach transmitting the translated data via e-mail.

Nishino teaches transmitting an e-mail message with the completed translation (col. 4, lines 32-42).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Boucher and Asahioka to transmit the translated document by e-mail because it would allow the user to access the document at a time of his choosing as well as allow the document to be automatically saved for the user.

Boucher, Asahioka and Nishino do not teach using a link in the e-mail for download of the translation.

Applicant's admitted prior art teaches that network links are notoriously well known in the art.

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Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention by applicant to include a network link instead of the whole document in the e-mail because it would save e-mail transmission time and memory.

9. As per claim 8, Boucher and Asahioka do not specifically mention establishing and translating a glossary.

Nishino teaches translating a glossary for the incoming data (private-use word dictionary, col. 3, lines 13-35).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify the system of Boucher and Asahioka to include a glossary because it gives a way to customize the translation for a better final translation for the particular user.

10. As per claim 9, Boucher and Asahioka do not teach combining multiple glossaries.

Nishino teaches combining glossaries from multiple sources. (col. 13, lines 40-58).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify the system of Boucher and Asahioka to combine multiple translated glossaries because it gives the ability to use a larger glossary for when a less topic specific translation is needed.

11. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Boucher in view of Asahioka and taken in further view of Thompson et al. (U.S. Pat. 5,644,775).

Boucher and Asahioka do not teach identifying and extracting redundant strings in said data to be translated for translation separate from other strings therein.

Thompson teaches a translation system that identifies repeated items of text and translates them separately from the rest of the data (col. 4, lines 31-45).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system of Boucher and Asahioka to identify and extract redundant strings in said data to be translated for translation separate from other strings therein as taught by Thompson because it would only need to translate redundant strings once hence increasing translation speed.

Allowable Subject Matter

12. Claims 11-19 are allowed.

13. Claims 2-4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

14. The following is a statement of reasons for the indication of allowable subject matter:

As per claim 11, Boucher discloses a system for translating data comprising:
a data source to be translated connected to a network (originating site, col. 4, lines 59-62);

translation source connected to the network (translationsite.com, col. 9, lines 14-21);

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a plurality of translation sources connected to said network (secondary machines, col. 12, lines 40-63);

portal means connected to said network for retrieving said data to be translated, said portal means including:

means for at least partially translating data (translation machine, col. 11, lines 31-35), and

means for transmitting said at least partially translated data to translation source for completing translation said data (secondary translation machines edit the primary machine translations that have been transmitted over a communication link, col. 12, lines 40-63).

Takeda teaches a translation system that associates costs with each of a plurality of translation patterns (col. 11, lines 11-20).

None of the prior art on record teaches the translation costs being based on a size of the untranslated portion of the data to be translated. It would not have been obvious to one of ordinary skill in the art at the time of invention to combine the systems of Boucher and Takeda to arrive at the Applicant's invention.

15. As per claims 2, 3 and 19, Boucher teaches a system for translating data transmitted electronically through a global computer network, comprising:

at least one user terminal coupled to the global computer network for transmitting and receiving user related data therethrough (uscompany.com, Fig. 2E, element 100);

at least one vendor terminal coupled to the global computer network for transmitting and receiving vendor related data therethrough (secondary translation machines, Fig. 2E, element 138);

a first computer coupled to the global computer network for exchanging user related data with said at least one user terminal and vendor related data with said at least one vendor terminal through the global computer network (translationsite.com, Fig. 2E, element 104);

a file storage memory coupled to said first computer for storing user related current document data representing documents to be translated transmitted from said at least one user terminal (translationsite.com transmits the data to be translated to the translation machine hence it would necessarily buffer or store it, col. 11, lines 31-35);

a second computer coupled to said first computer and said file storage memory for at least partially translating said current document data (translation machine, Fig. 2E, element 136);

said at least partial translation being sent to said first computer and transmitted therefrom to said at least one vendor terminal for completing translation of said current document data and uploading said completed translation to said first computer (translation machine communicates the translation to the secondary translation machines for further translation or editing, col. 12, lines 40-63), and

said first computer including means for transmitting said completed translation to said at least one user terminal and said second computer (col. 10, lines 49-53).

Asahioka teaches a system for translation that has a storage memory for storing previous data strings to be translated and corresponding previously translated data strings (memory stores original sentences and translated sentences, col. 3, lines 44-51) and a processor for comparing a portion of the data to be translated to the previously stored data in the storage memory to identify a plurality of matching corresponding previously translated data strings and selecting one of the matching corresponding previously translated data strings from the plurality of matching corresponding previously translated data strings based on predetermined criteria (input sentence is compared to the stored relations and the entry with the same corresponding word and highest entry number is selected, hence a predetermined criteria, col. 4, lines 20-41).

None of the prior art on record teaches to select one of the corresponding translated document data of the plurality of corresponding translated document data based on one of a most frequently used data and a most recently used data. It would not have been obvious to one of ordinary skill in the art at the time of invention to combine the systems of Boucher and Asahioka to arrive at the Applicant's invention.

16. Claims 4 and 12-18 are allowed because they further limit the subject matter to which they refer.

Conclusion

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lakritz (U.S. Pat. 6,526,426) teaches a translation management system for partially translating data using previous translations and sending the

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translation to a human translator for final translation. Ito et al. (U.S. Pat. 5,140,522) and Clark (U.S. Pat. 6,345,244) teach using previous translations for translation.

18. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Sked whose telephone number is (571) 272-7627. The examiner can normally be reached on Mon-Fri (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on 571-272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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W. R. YOUNG
PRIMARY EXAMINER